



City of Seattle

Greg Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2405689
Applicant Name: Frank Russell
Address of Proposal: 1651 10th Avenue East

SUMMARY OF PROPOSED ACTION

Master Use Permit for future grading of approximately 158 cubic yards of fill in westerly portion of the lot behind existing retaining wall in an environmentally critical area (steep slope). Wall built under permit #746465.

The following approval is required:

SEPA – Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading,
 or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This approximately 5,000 square foot site is developed with a single family residence. A slope is situated behind the residence to the west. A portion of the lot is characterized by slopes of 40% and designated as an Environmentally Critical Area due to steep slopes. The larger vicinity is zoned SF 5000 and developed with single family residences. The site borders City of Seattle Park property at the base of the slope on the west property line.

Proposal Description

The project received a permit to build a retaining wall to stabilize the slope. (Permit number 746465.) The project includes grading and fill of approximately 158 cubic feet of soil.

Public Comments

The initial public comment period for the proposed project ended on October 6, 2004, and no comment letters were received.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated September 15, 2004, and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision. Review is limited to issues pertinent to ECA impacts and mitigation.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Building Code (construction measures in general) and 2) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. However, the proposal site is located in environmentally critical areas. Therefore, additional discussion of earth impacts is warranted.

Earth / Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering report. The report and associated investigations have been reviewed by DPD's geotechnical experts, who have concluded that the as-built construction may proceed without undue risk to the property or to adjacent properties.

The proposal complies with the Stormwater, Grading and Drainage Control Code. No additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include increased surface water runoff from impervious surfaces. This long-term impact is not considered significant because the impacts of drainage will be minimal.

Other long-term impacts are typical of single-family development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- ☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

None.

Signature: (signature on file) Date: March 28, 2005
Holly Godard, Land Use Planner
Department of Planning and Development